FOR MYSORE STATE

Govt. Ii-15—75/53. 5-11-53.

M.R.L.A. (195 4) Department.

No. SERIES.

G.O. No. 3103 Health

Dated 17th November 1954

Closed
M/
Superintendent

[Despatch Abstract.]

Land Acquisition - Malabar District Kozhikode Taluk - Kidavoor Desom - R.S.No.41/1A - Part - Burning and burial ground for the Local Fund Dispensary, Tamarasseri - Draft Declaration under section 6 of the Land Acquisition Act - published

-5-

In Duplicate.

R.Dis.11359/54. Malabar Collector's office, Kozhikode dt.3.9.1954.

From

Sri M.G.Balasubramanian I.A.S.,
Collector of Malabar, Kozhikode.

To

The Secretary to Government;
Health, Education and L.A.Department,
MADRAS.

Through

The Secretary, Board of Revenue,
Madras.

Sir,

L.A. KOZHIKODE TALUK - Kidavoor desom - R.S. No.41/1A-part - Burning and burial ground for the L.F. Dispensary, Tamarasseri-D.D.submitted.

.....

The notification under section 4(1) of the L.A. P-9(A) Act in respect of the acquisition referred to above was approved in G.O.Rt.No.159.Health dt.30.4.1954 and was published at page 166, part I-A of Fort St.George Gazette dt.5.5.1954. The enquiry under sec.5A of the Act was held P-2 inf. D-1 inf. by the Revenue Divisional Officer, Kozhikode after the prescribed notices were promulgated and served on all interested persons.

2. Two petitions were received objecting to P-13 min. D-9 in the acquisition, one from the inhabitants of the locality and another from The Kalpetta Estates Ltd., the Kanomdar and occupant of the land proposed to be acquired. An extract of the Revenue Divisional Officer's report dealing with the P-3 inf. objections is enclosed. I agree with him and recommend that the objections may be over-ruled. The objection petitions P-7 & 8 min. in original, served copy of sec.5A notice, and a topo sketch P-21 & 23 inf. of the site are submitted.

3. I submit herewith a draft declaration under P-5 section 6 of the L.A.Act, in duplicate, for approval by the

p.t.o.

Government and for publication in the Fort St.George Gazette. There are no differences between the notification under section 4(1) and the Draft Declaration now submitted which require an erratum. Survey sketches of the land, in duplicate is enclosed. The valuation of the land has not been finalised. This will be done soon.

For Collector

cta.4.3

Extract of Rev.Divl.Officer's report R.Dis.11209/53.dt.26.8.1954. to the Collector of Malabar, Kozhikode.

.....

Sir,

Land Acquisition - Kozhikode Taluk- Kadavoor Amsom - R.S.No.41/1A1-burning and burial ground L.F.Dispensary - Tamarasseri-D.D.and basis for land value -submitted.

1.Collr's Ref.B3.11350/54.dt.1.5.54.
2.My Ref.B.11209/53.dt.1.8.54.

.....

xx xx xx

Two petitions have been received objecting to the proposed acquisition. I have inspected the site and made enquiries in the matter. One of the petitions is from the inhabitant of the amsom while the other from the Kalpetta Estates Ltd. the Kanomdar and occupant in the above case of acquisition. Each of the petitions is dealt with below:-

Petition from the inhabitants of the amsom:

The objections raised are:-

i) that the acquisition will cause inconvenience to the people residing close by and that it will contaminate the water in the Thodus and the wells in the locality.

ii) that as the site is on the road side and as the dead bodies will not be properly buried, there will be inconvenience to the passers by as a result of the bad smell likely to be emanated.

iii) that it will not be possible for children to go to school.

The site proposed to be acquired though accessible from the road is not very near the road. It is about 115 yards away from the road. There are no houses close by as will be seen from the topo sketch enclosed. There are also no wells or thodus nearby. The fear that the wells or thodus in the locality will be contaminated is therefore imaginary There is also no reason to believe that the dead bodies will not be buried properly and so the fear that there will be bad smell is also imaginary. The existence of a burning and burial ground there will in no way inconvenience the school-going children.

p.t.o.

Petition from the Kalpatta estates:

The following are the objections raised.

i) that the land proposed to be acquired is on the road front and that it will take away a big slice of their property on the road margin.

(ii) that as the acquisition is for a burning ground, a vast area around it will be damaged.

In the statement of M.Jereed, the representative of the Company, he has stated that the Company proposes to construct a watchman's shed and that foundation for it has been laid already. He has also said that the company has an idea of erecting a conductor's quarters and a factory on the spot.

It is not correct to say that the land proposed to be acquired has road frontage. It is about 100 yards away from the road. Further the entire survey number is a big block measuring 395.25 acres and the acquisition of about one acre is not going to affect it anyway. It is also not correct to say that because the land is to be used as a burning ground, it will damage the area around it. It might be a fact that the company has an idea of constructing a watchman's quarters. There is a laterite foundation for a small house 20 ft. x 12 ft. x 3 ft. about 60 yards away from the site. It was constructed some years back and is now in a neglected condition. Further even if the company wants to construct a watchman's shed, there is ample space in the land which remains.

In view of the reasons stated above, the objections do not deserve any consideration and I recommend that they may be overruled. The objection petitions, and the served copy of the notice under section 5(a) are submitted herewith.

xx xx

Sd:.....
For Rev.Divl.Officer.

copy)

For Collector

eta.4.8

5 9

DECLARATION.

Under section 6 of the Land Acquisition Act, the Governor of Madras hereby declares that the land specified in the schedule below and measuring 1.15 acres, be the same a little more or less is needed for a public purpose, to wit, for the use of a burning and burial ground for the Local Fund Dispensary, Tamarasseri, and under sections 3 and 7 of the same Act. the Revenue Divisional Officer, Kozhikode is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. A plan of the land is kept in the office of the Revenue Divisional Officer, Kozhikode and may be inspected at any time during office hours.

Schedule.

Malabar District, Kozhikode taluk, Kedavur amsom and desom.

Ryotwari, Unoccupied dry, R.S.No.41/1A1

Registered Holder.	Kottayath Thekke Kovilagath Sankara Varma Raja of Kottayam amsom, Kottayam taluk.
Kanomdar and occupant.	The Kalpetta Estates Ltd., Managed by A.V.Thomas and Co., Kozhikode.
	extent 1.15 acres.

Malabar Collector's office,
Kozhikode dt.3.9.1954

For Collector

cta.4.9

DECLARATION.

Under section 6 of the Land Acquisition Act, the Governor of Madras hereby declares that the land specified in the schedule below and measuring 1.15 acres, be the same a little more or less is needed for a public purpose, to wit, for the use of a burning and burial ground for the Local Fund Dispensary, Tamarasseri, and under sections 3 and 7 of the same Act, the Revenue Divisional Officer, Kozhikode is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. A plan of the land is kept in the office of the Revenue Divisional Officer, Kozhikode and may be inspected at any time during office hours.

Schedule.

Malabar District, Kozhikode taluk, Kedavur amsom and desom.

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Kanomdar and occupant.	The Kalpetta Estates Ltd., Managed by A.V.Thomas and Co., Kozhikode.

extent 1.15 acres.

Malabar Collector's office,
Kozhikode dt.3.9.1954

4/5 [illegible]

For Collector

cta.4.9

9 8-7-54

Tel. Address: "THOM" Telephone No. 108.

THE KALPETTA ESTATES. LIMITED.

(Incorporated in India)
(LIABILITY OF MEMBERS IS LIMITED)

MANAGING AGENTS:
V. THOMAS & CO., LTD.,
ALLEPPEY.

POST BOX NO. 4,
KOZHIKODE-1

Regd A.D.

Ref. 653

8899
7-JUN-1954

5th June 19 54

The Revenue Divisional Officer,
Kozhikode.

Sir,

Ref: B.11209/53 dated 21- 5- 54

We have received your above notice under Sec.5A of the Land Acquisition Act on 26-5-1954 and as indicated therein, we are formulating hereunder within 15 days of receipt of notice, our objections to the said acquisition.

2. We are holding the said land in R.S.No.41/1A under demise from the Kottayath Thekke Kovilakath Sankara Varma Raja who is the jenmi. We have raised Cashew and Casurina plantations on the said lands and adjacent lands over a vast area.

3. The road-frontage for our estate of about 2939 acres is very little. The lands proposed to be acquired is on the road front, and ~~xxxxxxx~~ would take away a big slice of our property on the road margin and therefore is highly injurious to the whole estate.

4. Again, the purpose of acquisition is for a burning and burial ground. If these purposes are done on the land, not only the land itself but a vast area round about it would be damaged in the process of burning and hence will cause unnecessary loss and damage to our other properties and plantations nearby.

5. It is therefore prayed that our lands in R.S.41/1A proposed may not be acquired for Government and the present proceedings may be dropped. We pray that we may be given an apportunity of representing our case in person.

Yours faihfully,
For THE KALPETTA ESTATES Ltd
A. V. THOMAS & CO. LTD.
Managing Agents

//

Statement by M. Jareed, representative, The Kalpetta Estates, Ltd., Kozhikode before the Revenue Divisional Officer, Kozhikode in reference to B. 11209/53 dated 21.5.1954.

The road-front to the estate is only about two furlongs of which one furlong has already been leased out.

On the spot proposed to be acquired, the company proposes to erect a watchman's shed and actually the foundation for the shed has already beeh laid and a well dug there.

The company has also an idea to erect a conductor's quarters and also a factory on the spot.

So, if the spot is acquired, the company will be put to much difficulty and loss.

Signed at Kozhikode this the 22nd day of June 1954.

REVENUE DIVISIONAL OFFICER
9814
1 JUL 1954
KOZHIKODE

15

[illegible] ഡിവിഷൻ ഓ
ഫീസ്സ് [illegible] സംബന്ധിച്ചിട്ടുള്ള

കോഴിക്കോട്ടുതാലൂക്കകോടതിസമുച്ചയത്തിന്റെ നിർമ്മാണം ഏതാണ്ടു പൂർത്തിയായിക്കൊണ്ടിരിക്കുന്നു എന്നുള്ള വിവരം ബഹുമാനപ്പെട്ട ഗവൺമെന്റിനെ ബോധിപ്പിക്കേണ്ടതാണല്ലോ.

പ്രസ്തുത കോടതിസമുച്ചയത്തിന്റെ ഒരു ഭാഗത്തിൽ ഈ ഓഫീസ്സിനുവേണ്ടി സൗകര്യപ്രദമായ ഒരു സ്ഥലം ഇപ്പോൾ തന്നെ അനുവദിച്ചിട്ടുണ്ടെന്നുള്ള വിവരവും ഇതോടൊപ്പം ബഹുമാനപ്പെട്ട ഗവൺമെന്റിനെ അറിയിച്ചുകൊള്ളുന്നു.

എന്നാൽ പ്രസ്തുത സ്ഥലത്തിന്റെ അതിരുകൾ താഴെ വിവരിക്കുന്നതായി കാണിച്ചിട്ടുള്ളതിൽ തെക്കുഭാഗത്തുള്ള അതിരുകൾ തെറ്റായിട്ടാണ് രേഖപ്പെടുത്തിയിട്ടുള്ളതെന്നു കാണുന്നു. പ്രസ്തുത സ്ഥലത്തിന്റെ തെക്കുഭാഗത്തുള്ള അതിരുകൾ താഴെ കുറിക്കുന്നപ്രകാരമാണ്. തെക്കുകിഴക്കുഭാഗത്തുള്ള കരിങ്കൽ കുറ്റിയിൽനിന്നും പടിഞ്ഞാറോട്ടു നേരെ കിഴക്കുഭാഗത്തുള്ള കരിങ്കൽ കുറ്റിവരെയുള്ള ദൂരം. തെക്കുകിഴക്കുഭാഗത്തുള്ള കരിങ്കൽ കുറ്റിയിൽനിന്നും വടക്കോട്ടു നേരെ കിഴക്കുഭാഗത്തുള്ള കരിങ്കൽ കുറ്റിവരെയുള്ള ദൂരം. ഇ

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7. [illegible]
8. [illegible]
9. K-K-[illegible]
10. [illegible]
11. [illegible]
12. [illegible]
13. [illegible]
14. [illegible]
15. [illegible]
16. [illegible]
17. [illegible]
18. [illegible]
19. [illegible]
20. [illegible]
21. [illegible]
22. [illegible]
23. [illegible]
24. [illegible]
25. [illegible]
26. [illegible]
27. V.K. [illegible]
28. M.K. [illegible]
29. [illegible]
30. K.C. [illegible]
31. [illegible]
32. [illegible]
33. [illegible]
34. [illegible]

35. കുഞ്ഞൻ തെക്കുമ്പിൽ മുഹമ്മദ്
36. [illegible]
37. കൊച്ചുണ്ണിത്തിനായത്ത്
38 പി. തെ. ജോർജ്
39. തെക്കുമുറിയിൽ ഹൗസ്
40. കുറിയകണ്ടത്തിൽ ഉണ്ണിച്ചെക്കൻ
41. [illegible]
42 K. മാത്യു ജോൺ നായർ
43. ഗ. ഫ. ഫെർണാണ്ടസ്
44. M. Jared.
45 പുന്നൂസ് ഏബ്രഹാം
46 ഫിനുമോൾ
47 തെ. ഫ്രാൻസിസ്
48 [illegible]
49 മറിയാമ്മ
50 പുതിയപുരയ്ക്കൽ
51. C. ദേവപാലൻ.
52. K. ജോൺ ജോർജ്.
53. E. സെബാസ്റ്റ്യൻ.
54. K. ജോൺ നായർ.
55 തെ. മറിയാമ്മ
56. തെ. തോമ്മിക്കുഞ്ഞ്
57 പി. ഫ്രാൻസിസ്
58 തെക്കുമുറിയിൽ
59 തെ. കുഞ്ഞാപ്പൻ.
60. തെ. പാപ്പച്ചൻ
61. ജെ. പി. സെബാസ്റ്റ്യൻ
62 ഫിലിപ്പോസ്
63 തെ. തൊമ്മൻ
64 പി. ഫ്രാൻസിസ്
65 പി. മാത്തൻ
66 P.T. തോമസ്
67 P.T തോമസ്
68
69 കുഞ്ഞുപെണ്ണ്
70 തെക്കുമ്പുറത്തുമഠം
71. വി. പി. മാത്തൻ
72. പി. തോമസ്

73 [illegible]
74 [illegible]
75 [illegible]
76 [illegible]
77 [illegible]
78 [illegible]
79 [illegible]
80 T. P. [illegible]
81 K. K. [illegible]
82 [illegible]
83 [illegible]
84 [illegible]
85 [illegible]
86. [illegible]
87 - R. K. [illegible]
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93 [illegible]
94 [illegible]
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96 [illegible]
97 [illegible]

1954 [illegible]

Lefa-a 1112/51.

...ction under section 5 of the Land Acquisition Act (Cap 1...
...ended by the Land Acquisition Amendment Act No. XII of 1...

NOTICE.

Notice is hereby given that the land specified in the appended schedule was situated in the village of Kelaniya in the Gabadagama in the district of Kalutara is needed or is likely to be needed for a public purpose, to wit, for burial and burial ground, Local Post Dispensary, Kelaniya, in accordance with the provisions under Section 4(1) of the Land Acquisition Act, as read and amended by the Land Acquisition (Amendment Act No. XII of 1953 published by Government at page 166 of Part 2 of the Part II. Gazette dated 6-5-54. You are accordingly required to lodge before the Revenue Divisional Officer Kalutara within 15 days from the date of service of this notice a statement in writing of your objections, if any, to the acquisition of the said land.

Any objection statement which is received after the due date or which does not clearly explain the nature of your interest in the land is liable to be summarily rejected.

Objections received within the due date, if any, will be enquired into on 23-6-54 at Kelaniya when you will be at liberty to appear in person or by pleader and to adduce any oral or documentary evidence in support of your objections.

SCHEDULE.

[illegible] Kelaniya Kalutara [illegible]

[illegible] Kottayath Devilaketh Kelaniya Karuna[illegible] Kottayam Kalutara.

[illegible] Kalutta Estate Limited. Managed by [illegible] & Co.Ltd., Kandy.

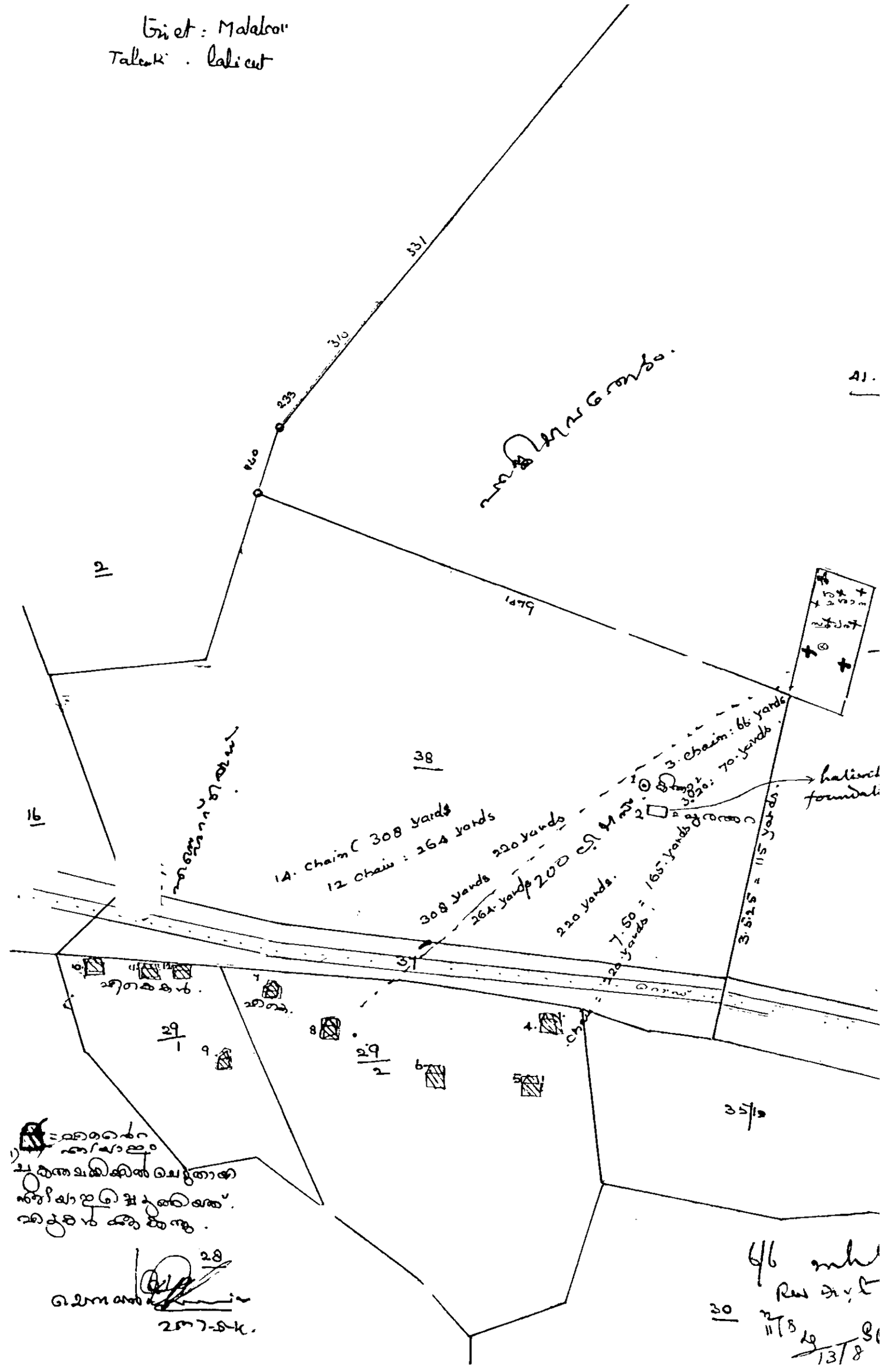
Extent - 1.1a acres.

Revenue Divisional Officer.

Copy to the Special Officer, Kalutara Board, Kandy.

Copy to Korale Mahatmaya Board.

mpn


Dist : Malabar
Taluk . Calicut
331
310
235
140
1479
41.
2
38
16
14. Chain (308 yards
12 chain : 264 yards
308 yards
220 yards
264 yards
220 yards.
7.50 = 165 yards
3.5.25 = 115 yards.
3. chains: 66 yards
3.20: 70. yards
37
29/1
29/2
35/1
28
30
46/1
137/8

Amsom No. 59. Kodavoor
S. No. 145. Kodavoor 23

[illegible] കിഴക്കുള്ള [illegible] സ്ഥലത്തിനെ [illegible] ചെയ്യുന്നതിലേക്കായി [illegible] ഉള്ള [illegible] കണക്കിനെ ചേർക്കുന്നു:-

[illegible]	1	66	[illegible]
[illegible]	2	70	"
[illegible]	3	115	"
[illegible]	4	165	"
"	5	220	"
"	6	220	"
[illegible]	7	220	"
[illegible]		264	"
"		308	"
[illegible]		308	"
"		264	"
"		264	"
[illegible]		242	"
"		264	"
"		374	"
"		330	"
"		374	"

→ Strip proposed to be acquired

17. Chain 374 Yards.
15. " Chain 330 Yards.
17 Chain [illegible] Yards

1237
12. Chain - 264 Yards
11. Chain - 242 Yards
36
2279
279
34
672
39
17. [illegible]
16. [illegible]
15
13. [illegible]
35/2A

[illegible]
26 A-24

[illegible] Yards one Chain.

[illegible]
[illegible] 8554

Copy of Board's Ref.I.5585/54-1 dated 11.9.1954.

L.A. Kozhikode Taluk - Kidavoor desom - R.S.No.41/1A - Part - Burning and burial ground for the L.F. Dispensary, Tamarasseri D.D. further particulars - called for.

Read:- From the Collector of Malabar, R.Dis.11350/54 dated 3.9.54.

The Collector of Malabar is requested to state urgently whether the Health Department was consulted from the Health point of view whether the land proposed for acquisition is suitable for use as a burning and burial ground. He is also requested to state whether there is no burning and burial ground for the village and if so why a separate burning and burial ground for the L.F. Dispensary, Tamarasseri is required.

(True copy)

Copy of Board's Ref.B3.31969/54 dated 12.10.1954 from the Collector of Madurai, to the Secretary, Board of Revenue, Madras.

Land Acquisition - Kozhikode Taluk - Kidvavoor desom - R.S.No.41/1A pt. Burning and Burial ground for L.F. dispensary - Tamarasseri - D.D. further report - submitted.

Ref:- Board's Ref.I.5585/54-1 dated 11.9.1954.

The District Health Officer, North Malabar, Kozhikode who was consulted has stated that the land proposed for acquisition

is suitable for use as burning and burial ground. This was reported to the Government when submitting the notification under Sec.4 (1) of the L.A. Act in this case.

2. There is no other burning and burial ground for the village.

-true copy-

For Secretary.

kk.23-10

Revenue Department.
Subject.

Land Acquisition - (Malabar) Kozhikode Taluk - Kidavoor desm - R.S. No.41/1A Part - Burning and burail ground for the L.F. dispensary - Tamarasseri - Draft declaration under Sec.6 of the L.A. Act - submitted.

Ref.No.5585/54-2

Station:- Madras
Dated: 22.10.1954.

From

Sri K.R.S. Sattianathan, I.C.S., Commr. of Land Revenue, Madras.

To

Sri K. Gopala Menon, I.A.S., Secretary, Civil Supplies, Board of Revenue.

Read:- Board's Ref.No.5585/54-1 dated 11.9.1954.
From the Collector of Malabar, R.Dis.11350/54 dated 3.9.54.
From the Collector of Malabar, Ref.B3.31969/54 dated 12.10.54.

Reference:-

Submitted to the Government.

2. The Board recommends that the objections to the acquisition may be overruled and that the draft declaration under section 6 of the Land Acquisition Act submitted by the Collector of Malabar may be approved and ordered to be published in the Fort St.George, Gazetted.

For Secretary.

To

The Secretary to Government, Health, Education and Local Administration Department, Madras-9 with records.

Copy to the Collector of Malabar.

HELA (H3) 38

C. No. 108735/54. Land Acquisition - Malabar Dt - Kozhikode Taluk - Kidavoor desom - R.S. No. 41/1A - part - Burning and burial ground for the L.F. Dispensary, Tamarasseri - Draft Declaration under Section 6 of the Land Acquisition Act - published.

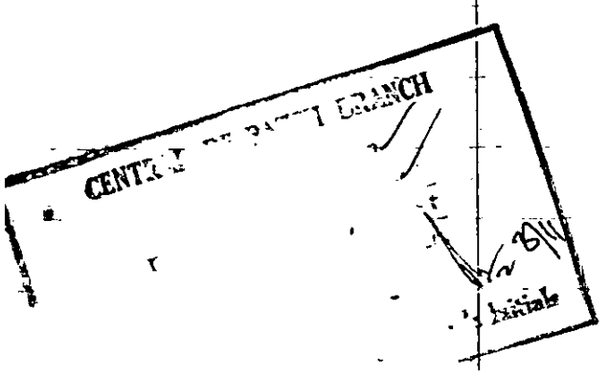
Read ... G.O (Rt) No. 159, Health dt 20-4-54
From the Collector of Malabar, R. Dis. 11350/54
... From the Revenue Dept Rly No. 5585/54-2 dated 3.9-54.
dt 22-10-54.
G.O/Ms ... 3103 .. Health dt 17-11-54

The draft declaration under section 6 of the Land Acquisition ~~Act~~ Section. Submitted by the Collector of Malabar with his letter read above is approved and will be published in the Fort St. George Gazette.

To the Controller of ~~The S. G. P.~~ Stationery & Printing.
(with a Copy of the notification for publication in the F. S. G. Gazette)
" The Collr of Malabar.

15-11-54

15.11.54.



Revenue Department.
Subject.

L.A. Kozhikode Taluk - Kidaveer desom R.S.No.41/1A - part - Burning and burial ground for the L.F. Dispensary, Tamarasseri - D.D. - Order requested.

SECRETARY TO GOVERNMENT
11 FEB 1955
HEALTH, EDUCATION & LOCAL ADMN. DEPT.

Station: Madras
From

No. Rev. I 5585/54-3. Dated: 7-2-55

Sri W.R.S. Sattianathan, I.C.S., Commr. of Land Revenue and Development.

12505

Sri K. Suppa Menon, I.A.S., Secretary, Civil Supplies, Board of Revenue, Madras.

Read:-

From the Collector of Malabar R.Dis. 11350/54 dated 3-9-54.
Board's Ref. I 5585/54-2, dated 22-10-54.

REFERENCE:

The Board invites the attention of the Government to its reference cited and requests the favour of early orders.

For Secretary.

To The Secretary to Government, Health Education & Local Administration Department, Madras.
Copy to the Collector of Malabar.

vd/9-2.

HGLA (H5)

Land Acquisition - Malabar Dt - Kozhikode Taluk - Kidavoor Desom R.S. No. 41/1A - part - Burning and burial ground for the L.F. Dispensary, Tanneresseri - Draft Declaration under Section 6 of the Land Acquisition Act -

~~Published~~

~~33 (1) Read G.O. No. 3103 Health dt 17-11-54.~~

(X) From the Bd of Rev. No. 5585/54-3 dt 7-2-55.

Memo No. 13505 H3/55-1 dated 24.2.55

~~Orders~~ The Bd of Rev. is informed that orders in the matter have ~~already~~ been issued in ~~with~~ G.O. No. 3103 ~~and a copy~~ Health dt 17:11-54 a copy of

PT.O

which is enclosed.

AM
12-22-55

AV
23205

To The Budget Bureau.
(with a copy yp-339 g (X))

Note... After issue, this may be filed with (X). A copy will also have been sent to Bd also

AV
23205